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PATENT

ATTORNEY DOCKET NO.: 056291-5077

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

BUTLIN et al.

Appln. No.: 10/069,995

Filed: June 17, 2002

FOR: AMIDES AS INHIBITORS FOR
PYRUVATE DEHYDROGENASE

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) Group Art Unit: 1624
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) Examiner: Bernhardt, E.
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Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop AF**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Date: November 15, 2004
(November 14 = Sunday)

Sir:

AMENDMENT (FEE) TRANSMITTAL FORM

1. Transmitted herewith is an Amendment and Response Under 37 C.F.R. 1.116 responding to the Office Action dated July 14, 2004.
2. Additional papers enclosed:

- ☒ Citations in support of Applicants' arguments
 - (a) *J. Neural. Transm.* (1998) 105: 855-870
 - (b) *N. Eng. J. Med.* (1978) 298: 526-530
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Drawings: ☐ Formal ☐ Informal (Correction)

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input checked="" type="checkbox"/> one month	\$110.00	\$ 55.00
<input type="checkbox"/> two months	\$430.00	\$215.00
<input type="checkbox"/> three months	\$980.00	\$490.00
<input type="checkbox"/> four months	\$1,530.00	\$765.00
<input type="checkbox"/> five months	\$2,080.00	\$1,040.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension of time fee due with this request: **\$110.00**

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	57	minus	57	0	x \$18/\$9 each=	\$ 0.00
Independent Claims (37 C.F.R. §1.16(b))	1	minus	3	0	x \$88/\$44 each=	\$ 0.00
First presentation of Multiple dependent claim(s) (previously paid)					\$300/\$150	\$ 0.00
Fee for <u>1</u> Month Extension of Time						\$ 110.00
Fee for Information Disclosure Statement (\$180.00)						\$ 0.00
Fee for Terminal Disclaimer (\$110.00)						\$ 0.00
TOTAL FEE =						\$ \$110.00

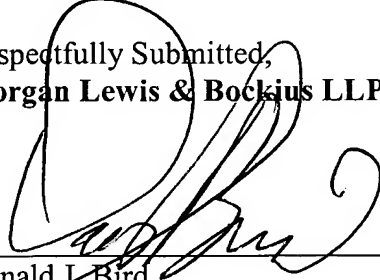
6. Fee Payment

- ☒ The Commissioner is hereby authorized to charge **\$110.00** to Deposit Account No. 50-0310 for payment of the One-Month Extension of Time Fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully Submitted,
Morgan Lewis & Bockius LLP

Date: November 15, 2004
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